

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ACADEMY OF ALLERGY & ASTHMA IN
PRIMARY CARE AND UNITED
BIOLOGICS, LLC D/B/A UNITED
ALLERGY SERVICES

Plaintiffs,

v.
**ALLERGY AND ASTHMA
NETWORK/MOTHERS OF ASTHMATICS,
INC.; TONYA WINDERS; PHADIA US
INC.; & THERMO FISHER SCIENTIFIC
INC.**

Civil Action No. 5:14-CV-35-OLG

Defendants.

**PLAINTIFFS' DESIGNATION OF TESTIFYING EXPERTS IN SUPPORT OF
PLAINTIFFS' CLAIMS FOR AFFIRMATIVE RELIEF**

Pursuant to the Court’s Scheduling Orders (Dkt. No. 208, 246), Plaintiffs Academy Of Allergy & Asthma in Primary Care (“AAPC”) and United Biologics, LLC d/b/a United Allergy Services (“UAS”) (collectively, “Plaintiffs”) hereby file this designation of testifying experts in support of Plaintiffs’ claims for affirmative relief.

Pursuant to the Court's orders, Plaintiffs will contemporaneously serve on Defendants, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B). Plaintiffs' identification of testifying experts is as follows:

Dr. Peter Boland
Boland Healthcare, President
1551 Solano Avenue
Berkeley, CA 94707
(510) 527-9907

Dr. Boland is expected to express the opinion described in his report, and the basis and reasons for Dr. Boland's opinions and the data and other information considered by Dr. Boland in forming those opinions are also described in the contemporaneously served report. Dr.

Boland's qualifications, including a list of all publications authored in the previous 10 years, as well as a list of all other cases in which Dr. Boland has testified as an expert at trial or by deposition during the previous 4 years, are also included in the report. The compensation to be paid for Dr. Boland's work and testimony is described in the report.

Dr. Donald House
RRC, Inc., President
3000 Briarcrest Drive Suite 600
Bryan TX 77802
(979) 774-4477

Dr. House is expected to express the opinion described in his report, and the basis and reasons for Dr. House's opinions and the data and other information considered by Dr. House in forming those opinions are also described in the contemporaneously served report. Dr. House's qualifications, including a list of all publications authored in the previous 10 years, as well as a list of all other cases in which Dr. House has testified as an expert at trial or by deposition during the previous 4 years, are also included in the report. The compensation to be paid for Dr. House's work and testimony is described in the report.

Casey Low
Dillon J. Ferguson
Pillsbury, Winthrop, Shaw, & Pittman, LLP
401 Congress Ave., Suite 1700
Austin, TX 78701
(512) 580-9600

Mr. Low and Mr. Ferguson may testify regarding the reasonableness of Plaintiffs' claims for attorneys' fees and expenses in connection with the prosecution of their claims against Defendants. Mr. Low and Mr. Ferguson will testify on the basis of their experience, education, and training, their knowledge of the instant litigation, their knowledge of the market for legal services in the relevant specialties and geographic area(s), and any evidence which may be presented in connection with Plaintiffs' claims for attorneys' fees and expenses.

This description of each expert's expected testimony is intended to be general, not exhaustive. All designated experts may testify in rebuttal to evidence and testimony presented by Defendants/Counter-Plaintiffs and any of their witnesses. In addition, it is anticipated that some fact witnesses not retained or specially employed for the purpose of rendering expert testimony on behalf of Plaintiffs may give testimony in the nature of an opinion or a combination of fact and opinion testimony in their respective disciplines, and that such testimony would be based on their education, experience, and training.

Dated: May 2, 2016

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Casey Low
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CERTIFICATE OF SERVICE

I certify that the foregoing document was served upon all counsel of record via the Court's CM/ECF electronic filing system in accordance with the Federal Rules of Civil Procedure on Dated: May 2, 2016

/s/ Casey Low
Casey Low